

IN THE CLAIMS

Please amend the claims as follows:

Claims 1-3 (Canceled).

Claim 4 (Currently Amended): A communication apparatus comprising:  
an IQ multiplexing unit for multiplexing a plurality of data channels and a control  
channel at an I side and a Q side to generate a complex signal;  
a transmitting unit for modulating and transmitting the complex signal generated by  
the IQ multiplexing unit; and  
a controlling unit for controlling assignment of channelization codes for a data  
channel and a control channel at the I side and the Q side multiplexed by the IQ multiplexing  
unit[[:]],  
wherein the controlling unit comprises:  
a code assigning unit by factor for, based on a size of a factor that is multiplied  
to the data channel and the control channel by the IQ multiplexing unit, assigning a first  
channelization code to a data channel of which the factor is large; and  
a remaining code assigning unit for assigning a second channelization code  
being different from the first channelization code to a data channel to which no  
channelization code has been assigned by the code assigning unit by factor.

Claim 5 (Original): The communication apparatus of claim 4, wherein  
the code assigning unit by factor comprises a prohibited code judging unit for, when a  
second control channel is added as a control channel, judging which of the I side or the Q  
side of the IQ multiplexing unit the second control channel is added, and, at the I side or the  
Q side to which the second control channel is added, prohibiting assignment of a

channelization code that has a correlation with a channelization code to be assigned to the second control channel.

Claim 6 (Original): The communication apparatus of claim 4, wherein:  
the factor is a gain factor; and  
the controlling unit, when a number of data channels multiplexed by the IQ multiplexing unit is five, among three data channels at the I side of the IQ multiplexing unit, assigns  $C_{4,2}$  and  $C_{4,3}$  respectively as channelization codes to two data channels having largest gain factors and assigns either  $C_{4,1}$  or  $C_{4,0}$  to a remaining one data channel.

Claim 7 (Original): The communication apparatus of claim 4, wherein:  
the factor is a gain factor; and  
the controlling unit, when a number of data channels multiplexed by the IQ multiplexing unit is six, among three data channels at the I side of the IQ multiplexing unit, assigns  $C_{4,2}$  and  $C_{4,3}$  respectively as channelization codes to two data channels having largest gain factors and assigns  $C_{4,1}$  to a remaining one data channel, and among three data channels at the Q side of the IQ multiplexing unit, assigns  $C_{4,2}$  and  $C_{4,3}$  respectively as channelization codes to two data channels having largest gain factors and assigns either  $C_{4,1}$  or  $C_{4,0}$  to a remaining one data channel.

Claim 8 (Original): The communication apparatus of claim 4, wherein  
the controlling unit controls assignment of channelization code  $C_{SF,k}$  of which a spreading factor is SF and a code number is k, assigns a channelization code of which the code number k is  $0 \leq k \leq (SF/2-1)$  as the first channelization code, and assigns a

channelization code of which the code number k is  $(SF/2) \leq k \leq (SF-1)$  as the second channelization code.

Claim 9 (Original): The communication apparatus of claim 4, wherein the controlling unit controls assignment of channelization code  $C_{SF,k}$  of which a spreading factor is SF and a code number is k, assigns a channelization code of which the code number k is  $0 \leq k \leq (SF/2-1)$  as the second channelization code, and assigns a channelization code of which the code number k is  $(SF/2) \leq k \leq (SF-1)$  as the first channelization code.

Claim 10 (Original): The communication apparatus of claim 8, wherein the controlling unit, in case of assigning channelization codes to a data channel of which the spreading factor SF is 2 and to a data channel of which the spreading factor SF is 4, assigns  $C_{2,0}$  to the data channel of which the spreading factor SF is 2 as the first channelization code and assigns  $C_{4,0}$  or  $C_{4,1}$  to the data channel of which the spreading factor SF is 4 as the second channelization code.

Claim 11 (Original): The communication apparatus of claim 9, wherein the controlling unit, in case of assigning channelization codes to a data channel of which the spreading factor SF is 2 and to a data channel of which the spreading factor is 4, assigns  $C_{2,1}$  to the data channel of which the spreading factor SF is 2 as the first channelization code and assigns  $C_{4,0}$  or  $C_{4,1}$  to the data channel of which the spreading factor SF is 4 as the second channelization code.

Claim 12-16 (Canceled).

Claim 17 (Currently Amended): A communication method comprising:  
IQ multiplexing a plurality of data channels and a control channel at an I side and a Q  
side to generate a complex signal;  
modulating and transmitting the complex signal generated by the IQ multiplexing  
step; and  
controlling assignment of channelization codes for a data channel and a control  
channel at the I side and the Q side multiplexed by the IQ multiplexing step;  
wherein the controlling [[step]] comprises:  
based on a size of a factor that is multiplied to the data channel and the control  
channel by the IQ multiplexing [[step]], assigning a first channelization code to a data  
channel of which the factor is large; and  
assigning a second channelization code being different from the first  
channelization code to a data channel to which no channelization code has been assigned by  
the assigning of the first channelization code.

Claim 18 (Canceled).